

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

MAY 09 2017

JULIA C. DUDLEY, CLERK  
BY: *H. McDonald*  
DEPUTY CLERK

HERBERT BEDWELL,  
Petitioner,

Civil Action No. 7:17-cv-00021

ORDER

v.

COMMONWEALTH OF VIRGINIA,  
Respondent.

By: Hon. Jackson L. Kiser  
Senior United States District Judge

In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED without prejudice** due to Petitioner's failure to comply with the conditional filing order; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 9<sup>th</sup> day of May, 2017.

*Jackson L. Kiser*  
Senior United States District Judge